

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Edward Jung, *et al.*
Application No. : 10/816,375
Confirmation No. : 1977
Filed : March 31, 2004
TITLE : MOTE-ASSOCIATED INDEX CREATION

Examiner : Oleg Survillo
Art Unit : 2442
Docket No. : SE1-0011-US
Customer No. : 80118

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICANT'S INTERVIEW SUMMARY

Dear Sir or Madam:

The following is Applicant's interview summary pursuant to MPEP 713.04 for the interview conducted on November 19, 2010. Applicant expresses appreciation to the Examiner for his time and effort associated with the subject interview, and for approaching the subject interview with an open mind regarding Applicant's position regarding patentability.

In the interview it was discussed whether separate ownership of different sets of motes has an effect on the claimed steps of aggregating and exposing. It was further discussed the examiners view of whether a 37 CFR 1.132 Affidavit filed in the co-pending application has a merit and what steps the examiner is requiring the applicant to take for the affidavit to be accorded proper by the patent office weight. Examiners Bates and Survillo proposed several claim amendments that would more likely overcome existing references and move the prosecution forward. No agreement was reached whether applicants will pursue claims as previously presented or will

incorporate proposed limitations into each independent claim in combination with other limitations already claimed.

Applicant respectfully continues to assert or maintain its position regarding any and all claims discussed during the interview, contests any assertion(s) made by the Examiner during the interview or in the Examiner's Interview Summary (unless otherwise stated in writing), and hereby reserves the right to address such assertions or any other issues related to the present application in this or any subsequent forum. Similarly, the fact that any rejections and/or statements made by the Examiner during the interview, or in the Examiner's subsequent Interview Summary, may not be explicitly addressed by Applicant herein or during the interview, should NOT be taken as an admission of any sort, and Applicant hereby reserves any and all rights to contest such rejections and/or statements at a later time. Specifically, no waiver (legal, factual, or otherwise), implicit or explicit, is hereby intended (e.g., with respect to any facts of which Examiner took Official Notice, and/or for which Examiner has supplied no objective showing, Applicant hereby contests those facts and requests express documentary proof of such facts at such time at which such facts may become relevant). Although not expressly set forth herein, Applicant continues to assert all points of (e.g. caused by, resulting from, responsive to, etc.) any previous Office Action, and no waiver (legal, factual, or otherwise), implicit or explicit, is hereby intended.

If there are any matters that may be advanced by a telephone consultation, the Examiner is kindly encouraged to contact the undersigned attorney at 206-321-9072.

Respectfully submitted,

/Steven C. Stewart, Reg. No. 33,555/
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